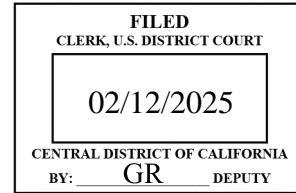


## UNITED STATES DISTRICT COURT

for the

Central District of California



United States of America

v.

JOSE DELA LUZ,  
aka "Jose De La Luz De Pablo,"  
aka "Jose Delaluzedpa,"  
aka "Jose DelaLuz,"

Defendant

Case No. 2:25-mj-00695-DUTY

**CRIMINAL COMPLAINT BY TELEPHONE  
OR OTHER RELIABLE ELECTRONIC MEANS**

I, Michael Flynn, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of December 3, 2024, in the county of Los Angeles in the Central District of California, the defendant violated:

*Code Section*

8 U.S.C. § 1326(a)

*Offense Description*

Illegal Alien Found in the United  
States Following Deportation

This criminal complaint is based on these facts:

*Please see attached affidavit.*

☒ Continued on the attached sheet.

/s/ (with e-mail authorization)

Complainant's signature

Michael Flynn, Deportation Officer ERO

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: February 12, 2025

*Karen L. Stevenson*  
Judge's signature

City and state: Los Angeles, California

Hon. Karen Stevenson, U.S. Magistrate Judge

Printed name and title

AUSA: Alexander S. Gorin (x3190)

**AFFIDAVIT**

I, Michael Flynn, being duly sworn, declare and state as follows:

**I. PURPOSE OF AFFIDAVIT**

1. This affidavit is made in support of a criminal complaint and arrest warrant against Jose DELA LUZ, also known as ("aka") "Jose De La Luz De Pablo," "Jose Delaluzdepa," and "Jose DelaLuz" ("defendant"), charging him with violating Title 8, United States Code, Section 1326(a), Illegal Alien Found in the United States Following Deportation.

2. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show that there is sufficient probable cause for the requested complaint and warrant and does not purport to set forth all my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

**II. BACKGROUND OF AFFIANT**

3. I am a Deportation Officer ("DO") with the United States Department of Homeland Security ("DHS"), Immigration and Customs Enforcement ("ICE"). I have been a DO with ICE, formerly known as the Immigration and Naturalization Service ("INS"), since February 2021. I am currently assigned to the Los Angeles Enforcement and Removal Operations ("ERO") field office.

**III. STATEMENT OF PROBABLE CAUSE**

4. On or about December 3, 2024, the ICE Pacific Enforcement Response Center ("PERC") received an electronic notification based on biometric fingerprint information that defendant was in the custody of the Los Angeles Police Department ("LAPD"). On or about December 4, 2024, PERC lodged a DHS Immigration Detainer with LAPD. Defendant is currently in the custody of the Los Angeles County Sheriff's Department ("LASD").

5. Based on my training and experience, I know that a DHS "A-File" is a file in which immigration records are maintained for aliens admitted to or found in the United States. I also know that a DHS A-File usually contains photographs, fingerprints, court records of conviction, and records relating to deportation or other actions by INS or DHS with respect to the subject alien for whom the DHS A-File is maintained.

6. On or about February 10, 2025, I obtained and reviewed DHS A-File A088-463-454 (the "DHS A-File"), which is maintained for the subject alien "DELA LUZ, Jose." The DHS A-File contained the following documents and information:

a. Photograph of the subject alien to whom this specific DHS A-File corresponded. I compared the photograph in the DHS A-File to the ICE booking photograph of defendant added to a DHS record system on May 23, 2017, and determined that DHS A-File and its contents corresponded to the defendant. I thus determined that this DHS A-File and its contents corresponded to this defendant.

b. One executed Warrant of Removal/Deportation (Form I-205) indicating that defendant was officially removed from the United States on or about July 5, 2018. I know from my training and experience that a Warrant of Removal is executed each time a subject alien is removed and excluded from the United States by ICE (and its predecessor agency, INS) and usually contains the subject's photograph, signature, and fingerprint. The executed Warrant of Removal/Deportation in defendant's DHS A-File contained his photograph, signature, and fingerprint.

c. A certified conviction record showing that defendant was convicted on or about May 6, 2016, of Lewd Act Upon a Child, in violation of California Penal Code § 288(c)(1), in the Superior Court of California, Los Angeles County, Case Number BA444922, for which defendant was sentenced to a total term of five years' probation and ordered to serve one year in county jail.

d. Various documents, in addition to the Warrant of Removal/Deportation, indicating that defendant is a native and citizen of Mexico. These documents included an Order of the Immigration Judge, dated May 25, 2018, ordering defendant removed to Mexico.

7. On or about February 10, 2025, I reviewed printouts from the Criminal Identification Index ("CII"). Based on my training and experience, I know that the CII database tracks and records arrests and convictions of individuals according to an individual's CII number. The CII printouts confirmed that

defendant had been convicted of the crime reflected on the documents contained in defendant's DHS A-File.

8. On or about February 10, 2025, I reviewed printouts from ICE computer indices on defendant. Based on my training and experience, I know that ICE computer indices track and document each time an alien is deported or excluded from the United States by ICE, was deported or excluded by the former INS, or is granted permission to enter or re-enter the United States. The ICE computer indices confirmed that defendant had been removed, deported, and/or excluded on the date indicated on the Warrant of Removal/Deportation, found in defendant's DHS A-File. The ICE computer indices further indicated that defendant had not applied for, or obtained from the Attorney General or the Secretary of Homeland Security, permission to re-enter the United States.

9. Based on my review of the DHS A-File, I determined that it does not contain any record of defendant ever applying for, or receiving from the Attorney General or the Secretary of Homeland Security, permission to re-enter the United States. Based on my training and experience, I know that such documentation is required to re-enter the United States legally after deportation, and that if such documentation existed, it would ordinarily be found in defendant's DHS A-File.

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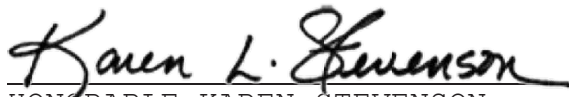
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**IV. CONCLUSION**

10. For all the reasons described above, there is probable cause to believe that defendant has committed a violation of Title 8, United States Code, Section 1326(a), Illegal Alien Found in the United States Following Deportation.

Attested to by the applicant in  
accordance with the requirements  
of Fed. R. Crim. P. 4.1 by  
telephone on this 12th day of  
February 2025.

A handwritten signature in black ink, reading "Karen L. Stevenson", is written over a horizontal line.

HONORABLE KAREN STEVENSON  
UNITED STATES MAGISTRATE JUDGE